

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

|                          |   |                     |
|--------------------------|---|---------------------|
| UNITED STATES OF AMERICA | ) |                     |
|                          | ) |                     |
| v.                       | ) | Criminal No. 15-256 |
|                          | ) |                     |
| WILLIAM J. CHAFFIN, JR.  | ) |                     |

**POSITION WITH RESPECT  
TO SENTENCING FACTORS**

AND NOW, comes Defendant, William Chaffin, by his attorney, Joseph M. Yablonski, Esquire, and respectfully presents this Position with Respect to Sentencing Factors, averring in support thereof the following:

1. Defendant was charged in a multiple count indictment with, inter alia, conspiracy to distribute cocaine, in violation of 21 U.S.C. §846.

2. Defendant and his counsel have reviewed the presentence report. Counsel also conferred with counsel for the government and the probation officer after the draft report was prepared.

3. Defendant objects to paragraph 38 of the presentence report. Defendant submits that the government cannot prove that he possessed the firearms in question. Defendant further submits that the government cannot prove that the firearms in question were connected to the offense of conviction. Accordingly, a two-level enhancement is improper.

4. Defendant objects to paragraph 42 of the report. Because a two-level adjustment is not warranted, the offense level is 30.

5. Defendant objects to paragraph 43 of the report. Defendant submits that the government cannot prove that his participation in the offense of conviction was

within the relevant look-back period in order for him to qualify as a career offender. Accordingly, the offense level is 30.

6. Defendant objects to paragraph 46 of the report. The offense level after credit for acceptance of responsibility is 27.

7. Defendant objects to paragraph 58 of the report. For the reasons stated above, Defendant is not a career offender.

8. Defendant objects to paragraph 88 of the report. For the reasons stated above, the offense level is 27 and the criminal history is IV, resulting in a sentencing range of 100 to 125 months.

Respectfully submitted,

/s/ Joseph M. Yablonski, Esquire  
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